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Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 EA-10 ISO-00 IO-13 HA-05 CIAE-00
DODE-00 PM-05 H-01 INR-10 L-03 NSAE-00 NSC-05
PA-01 SP-02 SS-15 ICA-11 /104 W
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R 271135Z JUL 78
FM AMEMBASSY COLOMBO
TO SECSTATE WASHDC 959
INFO AMEMBASSY KUALA LUMPUR
AMEMBASSY LONDON
AMEMBASSY NEW DELHI
AMEMBASSY SINGAPORE
AMCONSUL MADRAS
USUN NEW YORK 848

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E.O. 11652: N/A
TAGS: SHUM, CE

SUBJ: HUMAN RIGHTS IMPLICATIONS OF PROPOSED SRI LANKA
LEGISLATION

REF: COLOMBO 3215

1. TWO BILLS BEFORE THE NATIONAL STATE ASSEMBLY CONTAIN PROVISIONS THAT MAY HAVE HUMAN RIGHTS IMPLICATIONS IF PASSED IN THEIR PRESENT FORM. THESE BILLS ARE NOW RECEIVING PUBLIC SCRUTINY AND CHARGES OF VIOLATION OF BASIC RIGHTS MAY APPEAR IN LOCAL AND FOREIGN MEDIA.

2. THE PROPOSED CONSTITUTION (REFTEL) ENUMERATES BASIC RIGHTS SUCH AS PRESUMPTION OF INNOCENCE, PROHIBITION OF A FINDING OF GUILTY FOR AN OFFENSE THAT WAS NOT AN OFFENSE AT THE TIME OF COMMISSION, OR AWARDING PUNISHMENT MORE SEVER THAN THAT IN LIMITED OFFICIAL USE

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FORCE AT THE TIME AN OFFENSE WAS COMMITTED. HOWEVER, CONSTITUTION WOULD ALLOW THESE AND OTHER BASIC RIGHTS TO BE LIMITED IN THE INTEREST OF NATIONAL SECURITY OR OF THE NATIONAL ECONOMY. THERE IS ALSO AN ARTICLE THAT APPEARS TO ALLOW FOR EX POST FACTO LAWS.

3. THE SO-CALLED CIVIC DISABILITIES ACT WOULD DEPRIVE THE 34

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NAMED PERSONS, ALL FROM THE SRI LANKA FREEDOM PARTY (SLFP), INCLUDING FELIX DIAS BANDARANAIKE, FORMER MINISTER OF FINANCE AND JUSTICE, AND MOHAMED FOWZIE, FORMER MAYOR OF COLOMBO, OF THE RIGHT TO VOTE OR BE A CANDIDATE FOR ELECTED OFFICE FOR SEVEN YEARS. IN ADDITION, NAMED PERSONS WOULD BE BARRED FOR LIFE FROM BEING APPOINTED TO ANY JUDICIAL OFFICE OR BEING EMPLOYED BY THE GOVERNMENT. FINES MAY ALSO BE IMPOSED.

4. WE ARE CONCERNED ABOUT THE IMPLICATIONS OF THE FOREGOING FOR SRI LANKA'S ENVIABLE HUMAN RIGHTS RECORD AND ARE MENTIONING THESE CONCERNS WHENEVER APPROPRIATE.
WRIGGINS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
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Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS
Control Number: n/a
Copy: SINGLE
Draft Date: 27 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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Executive Order: N/A
Errors: N/A
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Original Previous Classification: n/a
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Previous Handling Restrictions: n/a
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Review Action: RELEASED, APPROVED
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Review Exemptions: n/a
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Review Withdrawn Fields: n/a
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TAGS: SHUM, CE
To: STATE
Type: TE
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